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09/882,917	06/15/2001	Cary Lee Bates	ROC920010074US1	9773

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/882,917

Applicant(s)

BATES ET AL.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6-8 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub No US 2002/0147634 issued to Jacoby et al (hereafter Jacoby '634).

Claims 1 and 21:

Jacoby '634 discloses a method of formatting an electronic document comprising at least two frames each containing searchable text, comprising: receiving a response containing the electronic document [Fig 2]; automatically designating one of the at least two frames as a default search [paragraph 54] frame; and rendering the electronic document for display [Fig 2]

Claim 2:

Jacoby '634 discloses wherein the electronic document is a web page, wherein the response is received from the Internet and wherein at least the automatically designating and rendering are performed by a browser [paragraph 2]

Claim 3:

Jacoby '634 discloses wherein automatically designating occurs one of before rendering and after rendering [paragraph 54].

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Claim 4:

Jacoby '634 discloses wherein automatically designating occurs without an explicit selection of the default search frame by a user [paragraph 54].

Claim 6:

Jacoby '634 discloses wherein automatically designating comprises selecting from the at least two frames a frame previously selected for a content search paragraph 10].

Claim 7:

Jacoby '634 discloses wherein automatically designating comprises selecting from the at least two frames according to an attribute of the at least two frames [paragraph 54].

Claim 8:

Jacoby '634 discloses wherein automatically designating comprises one of selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames [Fig 2].

3. Claims 10-13, 15, 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub No US 2002/0070961 issued to Xu et al (hereafter Xu '961)

Claim 10:

Xu '961 discloses a computer readable medium, comprising a network navigation program which, when executed by a processor, causes steps comprising: parsing a response containing an electronic document formatted with at least two frames [Fig 4 and paragraph 41] each containing searchable content; and automatically designating one of the at least two frames as a default search frame [paragraph 53]

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Claim 11:

Xu '961 discloses wherein automatically designating is performed using information contained in at least one of the electronic document and a data structure stored locally on a machine executing the network navigation program [paragraph 39].

Claim 12:

Xu '961 discloses wherein automatically designating occurs without an explicit selection of the default search frame by a user [Fig 5A]

Claim 13:

Xu '961 discloses wherein the electronic document is a hypertext markup language (HTML) Web page and the network navigation program is a Web browser [paragraphs 39 and 41].

Claim 15:

Xu '961 discloses wherein automatically designating comprises accessing a data structure containing data representing a previous selection of one of the at least two frames [paragraph 39].

Claim 18:

Xu '961 discloses rendering the electronic document for display [paragraphs 39 and 41].

Claim 20:

Xu '961 discloses wherein at least the automatically designating and rendering are performed by a browser [paragraph 39].

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jacoby '634 in view of US Pat No 6,230,171 issued to Pacifici et al (hereafter Pacifici '171).

Claim 5:

Jacoby '634 discloses the elements of claim 1 as noted above.

Jacoby '634 fails to disclose wherein automatically designating comprises parsing the response to locate a default search frame identifier.

Pacifici '171 discloses wherein automatically designating comprises parsing the response to locate a default search frame identifier [Fig 4]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jacoby '634 to include wherein automatically designating comprises parsing the response to locate a default search frame identifier as taught by Pacifici '171.

The ordinarily skilled artisan would have been motivated to modify Jacoby '634 to include the above for the purpose of instructing the browser regarding display of the data received from the server.

6. Claims 9 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacoby '634 in view of Pub No US 2002/0120505 issued to Henkin et al (hereafter Henkin '505)

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Claims 9 and 25:

Jacoby '634 discloses the elements of claims 1 and 21 as noted above.

Jacoby '634 fails to disclose highlighting the default search frame.

Henkin '505 discloses highlighting the default search frame [paragraph 183].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jacoby '634 to include highlighting the default search frame as taught by Henkin '505.

The ordinarily skilled artisan would have been motivated to modify Jacoby '634 to include highlighting the default search frame for the purpose of selecting the frame for possible for processing.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xu '961 in view of Pub No US 2002/0065110 issued to Enns et al (hereafter Enns '110).

Claim 14:

Xu '961 discloses the elements of claim 10.

Xu '961 fails to disclose wherein automatically designating comprises parsing the response to locate a default search frame tag.

Enns '110 discloses wherein automatically designating comprises parsing the response to locate a default search frame tag [paragraph 58].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Xu '961 to include wherein automatically designating comprises parsing the response to locate a default search frame tag as taught by Enns '110.

The ordinarily skilled artisan would have been motivated to modify Xu '961 as above for the purpose of controlling the browser display [paragraph 58].

8. Claims 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xu '961 in view of Jacoby '634.

Claim 16:

Xu '961 discloses the elements of claim 10 as noted above.

Xu '961 fails to disclose wherein automatically designating comprises at least one of selecting from the at least two frames according to an attribute of the at least two frames, selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames.

Jacoby '634 discloses wherein automatically designating comprises at least one of selecting from the at least two frames according to an attribute of the at least two frames, selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames [Fig 2]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Xu '961 to include wherein automatically designating comprises at least one of selecting from the at least two frames according to an attribute of the at least two frames, selecting from the at least two frames a frame containing a greater amount of content and selecting a largest frame from the at least two frames as taught by Jacoby '634.



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The ordinarily skilled artisan would have been motivated to modify Xu '961 as above for the purpose of sizing the browser window in accordance with the information to be displayed in each frame.

Claim 19:

Xu '961 discloses the elements of claim 18 as noted above.

Xu '961 fails to disclose wherein automatically designating occurs one of before rendering and after rendering.

Jacoby '634 discloses wherein automatically designating occurs one of before rendering and after rendering [paragraph 54]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Xu '961 to include wherein automatically designating occurs one of before rendering and after rendering as taught by Jacoby '634.

The ordinarily skilled artisan would have been motivated to modify Xu '961 as above for the purpose of coordinating the display of the various frames within the browser window [paragraph 54]

9. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xu '961 in view of Henkin '505.

Claim 17:

Xu '961 discloses the elements of claim 10 as noted above.

Xu '961 fails to disclose highlighting the default search frame.

Henkin '505 discloses highlighting the default search frame [paragraph 183].

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Xu '961 to include highlighting the default search frame as taught by Henkin '505.

The ordinarily skilled artisan would have been motivated to modify Xu '961 to include highlighting the default search frame for the purpose of selecting the frame for possible for processing.

10. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacoby '634 in view of Pub No US 2003/0028850 issued to Quinn et al (hereafter Quinn '850).

Claims 22 and 23:

Jacoby '634 discloses the elements of claim 21 as noted above.

Jacoby '634 fails to disclose wherein the program is a browser and the default search frame code segment is an HTML tag.

Quinn '850 discloses wherein the program is a browser and the default search frame code segment is an HTML tag [paragraph 68].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jacoby '634 to include wherein the program is a browser and the default search frame code segment is an HTML tag as taught by Quinn '850.

The ordinarily skilled artisan would have been motivated to modify Jacoby '634 as per the above for the purpose of providing a user with the ability to edit an electronic file [abstract].

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11. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jacoby '634 in view of Pub No US 2002/0129064 issued to Guthrie (hereafter Guthrie '064).

Claim 24:

Jacoby '634 discloses the elements of claim 21 as noted above.

Jacoby '634 fails to disclose wherein the default search frame code segment is an attribute of a FRAMESET tag.

Guthrie '064 discloses wherein the default search frame code segment is an attribute of a FRAMESET tag [paragraph 11].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jacoby '634 to include wherein the default search frame code segment is an attribute of a FRAMESET tag as taught by Guthrie '634.

The ordinarily skilled artisan would have been motivated to modify Jacoby '634 per the above for the purpose of providing sufficient information to generate an instance of the injectable component [paragraph 11].

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620.

The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Etienne LeRoux *ELR*

September 26, 2003

*S. Metjahic*  
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